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EXAMINER

TRAN, THAI Q

ART UNIT	PAPER NUMBER
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2615

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,029

Applicant(s)

BARTON ET AL.

Examiner

Thai Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-130 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-130 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 65-74, 107-110, 112-115, 117-122, and 124-129 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 12, 32, 34, and 43 of U.S. Patent No. 6,233,389 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because.

Regarding claim 65 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites a process of the simultaneous storage and play back of multimedia data, comprising the steps of:

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accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DBS, or ATSC;

tuning said TV signals to a specific program;

providing at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

providing a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

storing said video and audio components on a storage device;

providing at least one Output Section, wherein said Output Section extract said video and audio components from said storage device;

wherein said Output Section assembled said video and audio components into an MPEG stream;

wherein said decoder converts said MPEG stream into TV output signals;

wherein said decoder delivers said TV output signals to a TV receiver; and

accepting control commands from a user, wherein said control commands are sent through the system and affect the flow of said MPEG stream. It is noted that claim 65 of this application is broader and encompasses claim 1 of U.S. Patent No. 6,233,389 B1 and; therefore, obviousness-type double patenting rejection is applied.

Regarding claim 66 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 67 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects an individual tuner and the specific streaming audio signal for said individual tuner.

Regarding claim 68 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 69 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Claim 70 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 for the same reasons as discussed in claim 65 above.

Regarding claim 71 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 72 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects an individual tuner and the specific streaming audio signal for said individual tuner.

Regarding claim 73 of this application, claim 34 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 74 of this application, claim 43 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Regarding claim 107 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites a process of the simultaneous storage and play back of multimedia data, comprising the steps of:

accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DBS, or ATSC;

tuning said TV signals to a specific program;

providing at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

providing a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

storing said video and audio components on a storage device;

providing at least one Output Section, wherein said Output Section extract said video and audio components from said storage device;

wherein said Output Section assembled said video and audio components into an MPEG stream;

wherein said decoder converts said MPEG stream into TV output signals;
wherein said decoder delivers said TV output signals to a TV receiver; and
accepting control commands from a user, wherein said control commands are sent through the system and affect the flow of said MPEG stream. It is noted that claim 107 of this application is broader and encompasses claim 1 of U.S. Patent No. 6,233,389 B1 and; therefore, obviousness-type double patenting rejection is applied.

Regarding claim 108 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 109 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 110 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Claim 112 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 for the same reasons as discussed in claim 65 above.

Regarding claim 113 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 114 of this application, claim 34 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 115 of this application, claim 43 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Claim 117 of this application is rejected over claim 1 of U.S. Patent No. 6,233,389 B1 for the same reasons as discussed in claim 65 above.

Regarding claim 118 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed delivering said digital video output stream to a receiver.

Regarding claim 119 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed displaying said digital video output stream.

Regarding claim 120 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 121 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 122 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Claim 124 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 for the same reasons as discussed in claim 65 above.

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Regarding claim 125 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 also recites the claimed delivering said digital video output stream to a receiver.

Regarding claim 126 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 also recites the claimed displaying said digital video output stream.

Regarding claim 127 of this application, claim 32 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 128 of this application, claim 34 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 129 of this application, claim 43 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

4. Claims 111, 116, 123, and 130 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 32 of U.S. Patent No. 6,233,389 B1 in view of Hirayama et al ('356).

Regarding claim 111 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 as discussed in claim 107 above recites all the claimed limitation except for providing extracting other signal components from said digital video stream; wherein said storage step stores said other signal components on said storage device; wherein said output device extracts the associated signal components of said specific video and audio

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components from said storage device; and reproducing said associated signal components into their proper location in said television output signal.

Hirayama et al teaches apparatus and processing compressed video signals having means for extracting other signal components from said digital signal or said digital television broadcast signal (subtitle data disclosed in col. 8, lines 36-67); wherein said storage step stores said other signal components on said storage device (col. 8, lines 36-67); wherein said output device extracts the associated signal components of said specific video and audio components from said storage device (col. 9, lines 6-24); and reproducing said associated signal components into their proper location in said television output signal (col. 9, lines 6-24) for easily managing data, which can reproduce programs in a special manner and search them at high speed, and synchronize a video signal and an audio signal by using simple means (col. 1, lines 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capabilities of processing and recording/reproducing video, audio, and subtitle separately as taught by Hirayama et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to simplify the managing of the data, which can reproduce programs in a special manner and search them at high speed, and which can synchronize a video signal and an audio signal by using simple means.

Claim 116 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1 and Hirayama et al for the same reasons as discussed in claim 111 of this application above.

Claim 123 of this application is rejected over the combination of claim 1 of U.S. Patent No. 6,233,389 B1 and Hirayama et al for the same reasons as discussed in claim 111 of this application above.

Claim 130 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1 and Hirayama et al for the same reasons as discussed in claim 111 of this application above.

5. Claims 19-28, 30-39, 41-50, and 53-62 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 12, 14, 32, 34, 43, and 45 of U.S. Patent No. 6,233,389 B1 in view of Ito et al ('894 B2) and Logan et al (Re. 36, 801).

Regarding claim 19 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites a process of the simultaneous storage and play back of multimedia data, comprising the steps of:

accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DBS, or ATSC;

tuning said TV signals to a specific program;

providing at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

providing a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

storing said video and audio components on a storage device;

providing at least one Output Section, wherein said Output Section extract said video and audio components from said storage device;

wherein said Output Section assembled said video and audio components into an MPEG stream;

wherein said decoder converts said MPEG stream into TV output signals;

wherein said decoder delivers said TV output signals to a TV receiver; and

accepting control commands from a user, wherein said control commands are sent through the system and affect the flow of said MPEG stream. However, claim 1 of U.S. Patent No. 6,233,389 B1 does specifically discloses a plurality of output devices and wherein said plurality of output devices allows for a picture in a picture display on said television monitor.

Ito et al teaches a video and/or audio data recording and/or or reproduction apparatus having editing apparatuses 90 for editing audio and/or video signal stored in the server system 8 (col. 2, lines 45-58) so that the appropriate video signal can be broadcast (col. 1, lines 15-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the editing apparatus 90 as taught by Ito et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to achieve the desirable video signal to be broadcasted.

The combination of claim 1 of U.S. Patent No. 6,233,389 B1 and Ito et al does not specifically disclose the claimed wherein said plurality of output devices allows for a picture in a picture display on said television monitor.

Logan et al teaches a television having picture-in-picture feature (col. 5, lines 39-50) so that two separate television signal can be simultaneously displayed on a single television screen.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the picture-in-picture feature as taught by Logan et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to increase the flexibility of claim 1 of U.S. Patent No. 6,233,389 B1 by displaying two separate video signals on single video screen.

Regarding claim 20 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed accepting control commands from a user.

Regarding claim 21 of this application, Logan et al discloses the claimed wherein the user selects the picture in a picture option to be displayed on said television monitor (col. 5, lines 38-50).

Regarding claim 22 of this application, Logan et al discloses the claimed wherein the user selects which of said output devices displays in said picture in a picture display (col. 5, lines 38-50).

Regarding claim 23 of this application, Logan et al discloses the claimed wherein the user selects the display position of each picture in the picture in a picture display (col. 5, lines 38-50).

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Regarding claim 24 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects an individual tuner and the specific streaming audio signal for said individual tuner.

Regarding claim 25 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back.

Regarding claim 26 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, pause, and play functions on said analog or digital audio output signal.

Regarding claim 27 of this application, claim 14 of U.S. Patent No. 6,233,389 B1 recites the claimed inserting on screen displays into said television output signal.

Regarding claim 28 of this application, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

Claim 30 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 19 above.

Claim 31 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 20 above.

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Claim 32 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 21 above.

Claim 33 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 22 above.

Claim 34 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 23 above.

Claim 35 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 24 above.

Claim 36 of this application is rejected over the combination of claims 32 and 34 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 25 above.

Claim 37 of this application is rejected over the combination of claims 32 and 43 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 26 above.

Claim 38 of this application is rejected over the combination of claims 32 and 45 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 27 above.

Claim 39 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claim 28 above.

Claims 41-50 of this applications are rejected over the combination of claims 1, 3, 12, and 14 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claims 19-28 above.

Claims 53-62 of this applications are rejected over the combination of claims 32, 34, 43, and 45 of U.S. Patent No. 6,233,389 B1, Ito et al, and Logan et al for the same reasons as discussed in claims 30-39 above.

6. Claims 29, 40, 51, and 63 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al (Re. 36, 801) and Ito et al ('894 B2) as applied to claims 19, 30, 41, and 53 and further in view of Yuen et al ('409).

Regarding claim 29 of this application, the combination claim 1 of U.S. Patent No. 6,233,389 B1, Logan et al, and Ito et al as discussed in claim 19 above recites all the claimed limitation except for providing wherein the specific broadcast signal for an individual tuner is selected automatically based on a particular word or phrase in said broadcast signal.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to increase the flexibility of claim 1 of U.S. Patent No. 6,233,389 B1 by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 40 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al and Ito et al for the same reasons as discussed in claim 29 above.

Claim 51 of this application is rejected over the combination of claim 1 of U.S. Patent No. 6,233,389 B1 in view of Logan et al and Ito et al for the same reasons as discussed in claim 29 above.

Claim 63 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al and Ito et al for the same reasons as discussed in claim 29 above.

7. Claims 52 and 64 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al (Re. 36, 801) and Ito et al ('894 B2) as applied to claims 41 and 53 and further in view of Hirayama et al ('356).

Regarding claim 52 of this application, the combination claim 1 of U.S. Patent No. 6,233,389 B1, Logan et al, and Ito et al as discussed in claim 41 above recites all the claimed limitation except for providing extracting other signal components from said

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digital signal or said digital television broadcast signal; wherein said storage step stores said other signal components on said storage device; wherein said output device extracts the associated signal components of said specific video and audio components from said storage device; and reproducing said associated signal components into their proper location in said television output signal.

Hirayama et al teaches apparatus and processing compressed video signals having means for extracting other signal components from said digital signal or said digital television broadcast signal (subtitle data disclosed in col. 8, lines 36-67); wherein said storage step stores said other signal components on said storage device (col. 8, lines 36-67); wherein said output device extracts the associated signal components of said specific video and audio components from said storage device (col. 9, lines 6-24); and reproducing said associated signal components into their proper location in said television output signal (col. 9, lines 6-24) for easily managing data, which can reproduce programs in a special manner and search them at high speed, and synchronize a video signal and an audio signal by using simple means (col. 1, lines 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capabilities of processing and recording/reproducing video, audio, and subtitle separately as taught by Hirayama et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to simplify the managing of the data, which can reproduce programs in a special manner and search them at high speed, and which can synchronize a video signal and an audio signal by using simple means.

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Claim 62 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, Ito et al, and Hirayama et al for the same reasons as discussed in claim 52 of this application above.

8. Claims 1-7, 10-16, 75-81, 83-89, 91-96, and 99-104 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 12, 14, 32, 34, 43, and 45 of U.S. Patent No. 6,233,389 B1 in view of Logan et al (Re. 36,801).

Regarding claim 1 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 recites a process of the simultaneous storage and play back of multimedia data, comprising the steps of:

- accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DBS, or ATSC;

- tuning said TV signals to a specific program;

- providing at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

- providing a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

- storing said video and audio components on a storage device;

providing at least one Output Section, wherein said Output Section extract said video and audio components from said storage device;

wherein said Output Section assembled said video and audio components into an MPEG stream;

wherein said decoder converts said MPEG stream into TV output signals;

wherein said decoder delivers said TV output signals to a TV receiver; and

accepting control commands from a user, wherein said control commands are sent through the system and affect the flow of said MPEG stream. However, claim 1 of U.S. Patent No. 6,233,389 B1 does not specifically recite the claimed steps of providing a plurality of input signal tuners; wherein said tuners accept analog and digital television broadcast signals; and converting analog television broadcast signals into a digital signal.

Logan et al teaches a time delayed digital video system using concurrent recording and playback having a plurality of input signal tuners (4A-4D of Fig. 1, col. 3, lines 47-62); wherein said tuners accept analog and digital television broadcast signals (4A-4D of Fig. 1, col. 3, lines 47-62); and converting analog television broadcast signals into a digital signal (4A-4D of Fig. 1, col. 3, lines 47-62) so that plurality different broadcast television signal can be received.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the input signal processing units 12 as taught by Logan et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to increase the flexibility of claim 1 by increasing the number of broadcast television channels to be received.

Regarding claim 2 of this application, claim 14 of U.S. Patent No. 6,233,389 B1 recites the claimed step of inserting on screen displays into said television output signal.

Regarding claim 3 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed step of accepting control commands from a user.

Regarding claim 4 of this application, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific broadcast signal for said individual tuner (4A-4D of Fig. 1, col. 3, lines 47-62).

Regarding claim 5 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites wherein the user selects a specific video and audio component to be extracted from said storage device and decoded.

Regarding claim 6 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal (col. 5, lines 20-67).

Regarding claim 7 of this application, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

Apparatus claim 10 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 11 of this application is rejected over claim 45 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 2 of this application above.

Apparatus claim 12 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 13 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 4 of this application above.

Apparatus claim 14 of this application is rejected over claim 34 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 5 of this application above.

Apparatus claim 15 of this application is rejected over claim 43 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 6 of this application above.

Apparatus claim 16 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 7 of this application above.

Apparatus claim 75 of this application is rejected over claim 1 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Regarding claim 76 of this application, claim 14 of U.S. Patent No. 6,233,389 B1 recites the claimed step of inserting on screen displays into said television output signal.

Regarding claim 77 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed step of accepting control commands from a user.

Regarding claim 78 of this application, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific broadcast signal for said individual tuner (4A-4D of Fig. 1, col. 3, lines 47-62).

Regarding claim 79 of this application, claim 3 of U.S. Patent No. 6,233,389 B1 recites wherein the user selects a specific video and audio component to be extracted from said storage device and decoded.

Regarding claim 80 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal and Logan also teaches the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal (col. 5, lines 20-67).

Regarding claim 81 of this application, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

Apparatus claim 83 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 84 of this application is rejected over claim 45 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 2 of this application above.

Apparatus claim 85 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 86 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 4 of this application above.

Apparatus claim 87 of this application is rejected over claim 34 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 5 of this application above.

Apparatus claim 88 of this application is rejected over claim 43 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 6 of this application above.

Apparatus claim 89 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 7 of this application above.

Apparatus claim 91 of this application is rejected over claim 1 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Regarding claim 92 of this application, claim 14 of U.S. Patent No. 6,233,389 B1 recites the claimed step of inserting on screen displays into said television output signal.

Regarding claim 93 of this application, claim 1 of U.S. Patent No. 6,233,389 B1 also recites the claimed step of accepting control commands from a user.

Regarding claim 94 of this application, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific broadcast signal for said individual tuner (4A-4D of Fig. 1, col. 3, lines 47-62).

Regarding claim 95 of this application, claim 12 of U.S. Patent No. 6,233,389 B1 recites the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal and Logan also teaches the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal (col. 5, lines 20-67).

Regarding claim 96 of this application, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

Apparatus claim 99 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 100 of this application is rejected over claim 45 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 2 of this application above.

Apparatus claim 101 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 1 of this application above.

Apparatus claim 102 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 4 of this application above.

Apparatus claim 103 of this application is rejected over claim 43 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 6 of this application above.

Apparatus claim 104 of this application is rejected over claim 32 of U.S. Patent No. 6,233,389 B1 and Logan et al for the same reasons as discussed in claim 7 of this application above.

9. Claims 8, 17, 82, 90, 97, and 105 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al (Re. 36, 801) as applied to claims 1, 10, 75, 83, 91, and 99 and further in view of Yuen et al ('409).

Regarding claim 8 of this application, the combination claim 1 of U.S. Patent No. 6,233,389 B1 and Logan as discussed in claim 1 above recites all the claimed limitation except for providing wherein the specific broadcast signal for an individual tuner is selected automatically based on a particular word or phrase in said broadcast signal.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to increase the flexibility of claim 1 of U.S. Patent No. 6,233,389 B1 by programming the video recorder using the program guide for recording shows during his absence or sleep.

Claim 17 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, and Yuen et al for the same reasons as discussed in claim 8 of this application above.

Claim 82 of this application is rejected over the combination of claim 1 of U.S. Patent No. 6,233,389 B1, Logan et al, and Yuen et al for the same reasons as discussed in claim 8 of this application above.

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Claim 90 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, and Yuen et al for the same reasons as discussed in claim 8 of this application above.

Claim 97 of this application is rejected over the combination of claim 1 of U.S. Patent No. 6,233,389 B1, Logan et al, and Yuen et al for the same reasons as discussed in claim 8 of this application above.

Claim 105 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, and Yuen et al for the same reasons as discussed in claim 8 of this application above.

10. Claims 9, 18, 98, and 106 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 32 of U.S. Patent No. 6,233,389 B1 in view of Logan et al (Re. 36, 801) as applied to claims 1, 10, 91, and 99 and further in view of Hirayama et al ('356).

Regarding claim 9 of this application, the combination claim 1 of U.S. Patent No. 6,233,389 B1 and Logan as discussed in claim 1 above recites all the claimed limitation except for providing extracting other signal components from said digital signal or said digital television broadcast signal; wherein said storage step stores said other signal components on said storage device; wherein said output device extracts the associated signal components of said specific video and audio components from said storage device; and reproducing said associated signal components into their proper location in said television output signal.

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Hirayama et al teaches apparatus and processing compressed video signals having means for extracting other signal components from said digital signal or said digital television broadcast signal (subtitle data disclosed in col. 8, lines 36-67); wherein said storage step stores said other signal components on said storage device (col. 8, lines 36-67); wherein said output device extracts the associated signal components of said specific video and audio components from said storage device (col. 9, lines 6-24); and reproducing said associated signal components into their proper location in said television output signal (col. 9, lines 6-24) for easily managing data, which can reproduce programs in a special manner and search them at high speed, and synchronize a video signal and an audio signal by using simple means (col. 1, lines 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capabilities of processing and recording/reproducing video, audio, and subtitle separately as taught by Hirayama et al into claim 1 of U.S. Patent No. 6,233,389 B1 in order to simplify the managing of the data, which can reproduce programs in a special manner and search them at high speed, and which can synchronize a video signal and an audio signal by using simple means.

Claim 18 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, and Hirayama et al for the same reasons as discussed in claim 9 of this application above.

Claim 98 of this application is rejected over the combination of claim 1 of U.S. Patent No. 6,233,389 B1, Logan et al, and Hirayama et al for the same reasons as discussed in claim 9 of this application above.

Claim 106 of this application is rejected over the combination of claim 32 of U.S. Patent No. 6,233,389 B1, Logan et al, and Hirayama et al for the same reasons as discussed in claim 9 of this application above.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 65-81 and 83-89 are rejected under 35 U.S.C. 102(e) as being anticipated by Logan et al (Re. 36,801).

Regarding claim 65, Logan et al discloses a process of the simultaneous storage and play back of multimedia data (Fig. 1), comprising the steps of:

providing at least one input signal tuner (input signal processing units 12 of Fig. 1, col. 3, lines 4-17);

wherein said tuner accepts streaming audio signals, said streaming audio signals are in digital and analog form (col. 3, lines 47-62 and col. 4, lines 30-45. Note: the audio signal is an inherent limitation of the television signal of Logan et al);

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wherein said tuner is tuned to a specific streaming audio signal (col. 3, lines 47-62 and col. 4, lines 30-45);

converting said streaming audio signals that are analog signals into a digital stream (col. 4, lines 6-29);

storing said digital stream and digital streaming audio signals on a storage device (memory subsystem 5 of Fig. 1, col. 3, lines 4-26);

providing an output device (video display unit 10 of Fig. 1, col. 3, lines 4-26);

wherein said output device extracts a specific digital stream from said storage device (col. 3, line 63 to col. 4, line 5);

decoding said specific digital stream into an analog or digital audio output signal (col. 4, lines 6-29);

playing back said analog or digital audio output signal (col. 4, lines 6-29).

Regarding claim 66, Logan et al also discloses the claimed accepting control commands from a user (col. 3, line 63 to col. 4, line 5).

Regarding claim 67, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific streaming audio signal for said individual tuner (col. 4, lines 30-45).

Regarding claim 68, Logan et al discloses the claimed wherein the user selects a specific digital stream to be extracted from said storage device and played back (col. 3, line 63 to col. 4, line 5).

Regarding claim 69, Logan et al discloses the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast

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forward and rewind, pause, and play functions on said analog or digital audio output signal (col. 3, line 63 to col. 4, line 29).

The corresponding apparatus claims 70-74 are rejected for the same reasons as discussed in method claims 65-69 above.

Claim 75 is rejected for the same reasons as discussed in claim 1 above and Logan et al additionally discloses the claimed a plurality of input signal tuners (input signal processing units 12 of Fig. 1, col. 3, lines 4-17 and lines 47-62).

Regarding claim 76, Logan et al discloses the claimed the step of inserting on screen displays into said television output signal (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 77, Logan et al discloses the claimed the step of accepting control commands from a user (col. 3, line 63 to col. 4, line 5).

Regarding claim 78, Logan et al discloses the claimed wherein the user select an individual tuner and the specific broadcast signal for said individual tuner (col. 4, lines 30-45).

Regarding claim 79, Logan et al discloses the claimed wherein the user selects a specific digital signal to be extracted from said storage device and decoded (col. 3, line 63 to col. 4, line 5).

Regarding claim 80, Logan et al discloses the claimed wherein the user control the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal (col. 3, line 63 to col. 4, line 5).

Regarding claim 81, Logan et al discloses the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

The corresponding apparatus claims 83-89 are rejected for the same reasons as discussed in method claims 75-81 above.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims 82 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al (Re. 36,801) in view of Yuen et al ('409).

Regarding claim 82, Logan et al as discussed in claim 75 above discloses all the claimed limitation except for providing wherein the specific broadcast signal for an

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individual tuner is selected automatically based on a particular word or phrase in said broadcast signal.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Logan et al's system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

The corresponding apparatus claim 90 is rejected for the same reasons as discussed in method claim 82 above.

15. Claims 1-7, 9-16, 18, 91-96, 98-104, and 106-130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al (Re. 36,801) in view of Hirayama et al ('356).

Regarding claim 1, Logan et al as discussed in claims 65 and 75 above discloses all the features of the instant invention except for providing separating a digital signal or digital television broadcast signal into its video and audio components and storing said video and audio components on a storage device.

Hirayama et al teaches apparatus and processing compressed video signals having separating a digital signal or digital television broadcast signal into its video and

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audio components (col. 8, lines 36-67) and means for storing said video and audio components on a storage device (col. 8, lines 36-67) for easily managing data, which can reproduce programs in a special manner and search them at high speed, and synchronize a video signal and an audio signal by using simple means (col. 1, lines 48-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capabilities of processing and recording/reproducing video, audio, and subtitle separately as taught by Hirayama et al into Logan et al's system in order to simplify the managing of the data, which can reproduce programs in a special manner and search them at high speed, and to synchronize a video signal and an audio signal by using simple means.

Regarding claim 2, Logan et al discloses the claimed step of inserting on screen displays into said television output signal (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 3, Logan et al also discloses the claimed step of accepting control commands from a user (col. 3, line 63 to col. 4, line 5).

Regarding claim 4, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific broadcast signal for said individual tuner (4A-4D of Fig. 1, col. 3, lines 47-62).

Regarding claim 5, Logan et al discloses the claimed wherein the user selects a specific video and audio component to be extracted from said storage device and decoded (col. 3, line 63 to col. 4, line 5).

Regarding claim 6, Logan et al discloses the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast forward and rewind, frame step, pause, and play functions on said television output signal (col. 3, line 63 to col. 4, line 29).

Regarding claim 7 of this application, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

Regarding claim 9, Hirayama et al teaches the claimed extracting other signal components from said digital signal or said digital television broadcast signal (subtitle data disclosed in col. 8, lines 36-67); wherein said storage step stores said other signal components on said storage device (col. 8, lines 36-67); wherein said output device extracts the associated signal components of said specific video and audio components from said storage device (col. 9, lines 6-24); and reproducing said associated signal components into their proper location in said television output signal (col. 9, lines 6-24).

The corresponding apparatus claims 10-16 and 18 are rejected for the same reasons as discussed in method claims 1-7 and 9 above.

Claims 91-96 and 98 are rejected for the same reasons as discussed in claims 1-4, 6-7, and 9, respectively.

Apparatus claims 99-104 and 106 are rejected for the same reasons as discussed in method claims 1-4, 6-7, and 9 above, respectively.

Claims 107-111 are rejected for the same reasons as discussed in claims 1, 3, 5-6, and 9 above, respectively.

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Apparatus claims 112-116 are rejected for the same reasons as discussed in claims 1, 3, 5-6, and 9 above, respectively.

Claim 117 is rejected for the same reasons as discussed in claim 1 above.

Regarding claim 118, Logan et al discloses the claimed the step of delivering said digital video output stream to a receiver (video display unit 10, col. 3, lines 4-17).

Regarding claim 119, Logan et al discloses the claimed the step of displaying said digital video output stream (video display unit 10, col. 3, lines 4-17).

Claims 120-123 are rejected for the same reasons as discussed in claims 3, 5-6, and 9 above, respectively.

Apparatus claims 124-130 are rejected for the same reasons as discussed in method claims 117-123 above.

16. Claims 8, 17, 97, and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al (Re. 36,801) in view of Hirayama et al ('356) as applied to claims 1, 10, 91, and 99 above, and further in view of Yuen et al ('409).

Regarding claim 8, the combination of Logan et al and Hirayama et al discloses all the claimed limitations as discussed in claim 1 above except for providing wherein the specific broadcast signal for an individual tuner is selected automatically based on a particular word or phrase in said broadcast signal.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Logan et al's system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

The corresponding apparatus claim 17 is rejected for the same reasons as discussed in method claim 8 above.

Claim 97 is rejected for the same reasons as discussed in claim 8 above.

The corresponding apparatus claim 105 is rejected for the same reasons as discussed in method claim 8 above.

17. Claims 19-28, 30-39, 41-50, 52-62, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al (Re. 36,801) in view of Hirayama et al ('356) and further in view of Ito et al ('894 B2).

Regarding claim 19, the combination of Logan et al and Hirayama et al discloses all the features of the instant invention as discussed in claim 1 above except for providing a plurality of output devices.

Ito et al teaches a video and/or audio data recording and/or or reproduction apparatus having editing apparatuses 90 for editing audio and/or video signal stored in the server system 8 (col. 2, lines 45-58) so that the appropriate video signal can be broadcast (col. 1, lines 15-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the editing apparatus 90 as taught by Ito et al into Logan et al's system in order to achieve the desirable video signal to be broadcasted.

Regarding claim 20, Logan et al also discloses the claimed step of accepting control commands from a user (col. 3, line 63 to col. 4, line 5).

Regarding claim 21, Logan et al discloses the claimed wherein the user selects the picture in a picture option to be displayed on said television monitor (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 22, Logan et al discloses the claimed wherein the user selects which of said output devices displays in said picture in a picture display (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 23, Logan et al discloses the claimed wherein the user selects the display position of each picture in the picture in a picture display (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 24, Logan et al discloses the claimed wherein the user selects an individual tuner and the specific broadcast signal for said individual tuner (4A-4D of Fig. 1, col. 3, lines 47-62).

Regarding claim 25, Logan et al discloses the claimed wherein the user selects a specific video and audio component to be extracted from said storage device and decoded (col. 3, line 63 to col. 4, line 5).

Regarding claim 26, Logan et al discloses the claimed wherein the user controls the decoding rate and direction of said decoding step to perform variable rate fast

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forward and rewind, frame step, pause, and play functions on said television output signal (col. 3, line 63 to col. 4, line 29).

Regarding claim 27, Logan et al discloses the claimed the step of inserting on screen displays into said television output signal (picture-in-picture disclosed in col. 5, lines 38-50).

Regarding claim 28, Logan et al teaches the claimed wherein the specific broadcast signal for an individual tuner is selected automatically based on the current date and time (col. 3, lines 39-46).

The corresponding apparatus claims 30-39 are rejected for the same reasons as discussed in method claims 19-28 above.

Claims 41-50 are rejected for the same reasons as discussed in claims 19-28 above.

Regarding claim 52, Hirayama et al teaches the claimed extracting other signal components from said digital signal or said digital television broadcast signal (subtitle data disclosed in col. 8, lines 36-67); wherein said storage step stores said other signal components on said storage device (col. 8, lines 36-67); wherein said output device extracts the associated signal components of said specific video and audio components from said storage device (col. 9, lines 6-24); and reproducing said associated signal components into their proper location in said television output signal (col. 9, lines 6-24).

The corresponding apparatus claims 53-62 and 64 are rejected for the same reasons as discussed in method claims 19-28 and 52 above, respectively.

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18. Claims 29, 40, 51, and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al (Re. 36,801) in view of Hirayama et al ('356) and Ito et al ('894 B2) as applied to claims 19, 30, 41, and 53 above, and further in view of Yuen et al ('409).

Regarding claim 29, the combination of Logan et al, Hirayama et al, and Ito et al discloses all the claimed limitations as discussed in claim 19 above except for providing wherein the specific broadcast signal for an individual tuner is selected automatically based on a particular word or phrase in said broadcast signal.

Yuen et al teaches an apparatus and method for tracking the playing of VCR programs including means for automatically selecting the broadcast signal for tuner based on particular word or phrase in said broadcast signal (program guide disclosed col. 31, lines 29-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of selecting video program based on program guide as taught by Yuen et al into Logan et al's system in order to increase the flexibility of Logan et al by programming the video recorder using the program guide for recording shows during his absence or sleep.

The corresponding apparatus claim 40 is rejected for the same reasons as discussed in method claim 29 above.

Claim 51 is rejected for the same reasons as discussed in claim 29 above.

The corresponding apparatus claim 63 is rejected for the same reasons as discussed in method claim 29 above.

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19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to video recording/reproducing apparatus.

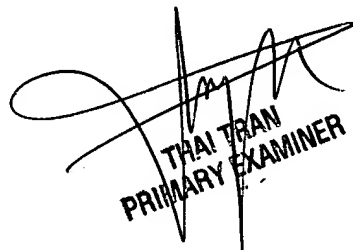
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ
June 3, 2003


THAI TRAN
PRIMARY EXAMINER